

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the foregoing amendments and the following remarks.

Claims 3-16 and 18 have been canceled without prejudice or disclaimer. Claims 1 and 2 have been amended. Thus, claims 1, 2, 17 and 19 are pending in the present application, of which claims 1 and 2 are independent.

With appreciation, it is noted that the Office Action indicates claims 18 and 19 as containing allowable subject matter.

Claim Rejection Under 35 U.S.C. §112

Claims 1, 2, 17 and 19 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite. By the foregoing amendments, claims 1 and 2 have been amended to address the indefiniteness in the claims. Specifically, claim 1 has been amended to recite "an input device configured to receive input data of items or a service to be purchased and identification data of the mobile communication terminal", and "the settlement device able to communicate with the input device through the mobile communication network". Claims 1 and 2 have been amended to recite the term "the amount of money", instead of "the amount of transferred money". Accordingly, withdrawal of the rejection is respectfully requested.

Claim Rejection Under 35 U.S.C. §103

Claims 1 and 2 are rejected under 35 U.S.C. §102(b) as being anticipated by Jacobs et al. (WO 98/34203). By the foregoing amendments, claims 16 and 18 have been canceled, and independent claims 1 and 2 have been amended to include the feature of claims 16 and 18 therein respectively.

As noted above, the Office Action indicates claim 18 as containing allowable subject matter. Claim 18 (previously depending upon claim 2 and now canceled) recites "the mobile communication terminal comprising a transmission unit configured to transmit an acknowledgement signal acknowledging the received report data to the settlement device" (which is the same as the recitation of claim 16 (previously

depending upon claim 1 and now canceled)). Jacobs et al. does not teach or suggest the feature included in each of independent claims 1 and 2. Accordingly, withdrawal of the rejection from the application is respectfully requested.

Conclusion

In light of the foregoing, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

Should the Examiner believe that a telephone conference with the undersigned would assist in resolving any issues pertaining to the allowability of the above-identified application, please contact the undersigned at the telephone number listed below.

Please grant any required extensions of time and charge any fees due in connection with this request to deposit account no. 50-1290.

Respectfully submitted,

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